

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

**FILED**

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

JAN 23 2016

MATTHEW J. DYKMAN

CLERK-4274 JB

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARCO HOLGUIN,

Defendant.

**ORDER CONTINUING TRIAL AND EXTENDING MOTION DEADLINE**

This matter came before this Court on the Unopposed Motion of Marco Holguin to Continue Trial and Extend Motion Deadline (Doc. 16), the Court, having been fully advised of the circumstances and noting that the government does not oppose this motion, finds that the ends of justice would best be served by granting the motion, as the parties' interest in completing plea negotiations and, should plea negotiations fail, in having adequate time to engage in motion practice and prepare for trial outweighs the interest of the public and Mr. Holguin in a speedy trial.

The motion is granted. The trial currently scheduled for January 19, 2016, is continued until

Jan 25, 2016. Motions are due ~~February~~ Jan. 25, 2016.

*James O. Young*  
UNITED STATES DISTRICT JUDGE

After weighing the best interests of the public and of the Defendant with the ends of justice, the Court finds that granting a continuance will strike a proper balance between the ends of justice and the best interests of the public and of the Defendant for the reasons stated in the motion requesting a continuance, filed January 13, 2016 (Doc. 16). Specifically, the Defendant's need to complete plea negotiations outweighs the Defendant's and the public's interest in a speedy trial. See 18 U.S.C. Section 3161(h)(7). The Court will set the trial for Jan 25, 2016. The pretrial motion deadline is Jan 25, 2016. This 12 day continuance is sufficient, without being greater than necessary, for the Defendant to complete the tasks set forth in the motion to continue. If the Def. needs more time, he has to justify it.

The Court is not convinced, on the limited record before the Court, that it should continue the trial 30 days.

*1/18/16*

*in detail, each additional day sought.*  
*1/23/16*